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Counsel for Official Committee of Tort Claimants

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors

- ☐ Affects PG& E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Case No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

**MOTION TO FILE REDACTED
DECLARATION OF JAMES
DRINKHALL IN SUPPORT OF THE
OFFICIAL COMMITTEE OF TORT
CLAIMANTS' MOTION PURSUANT TO
11 U.S.C. §§ 105(a) AND 501 AND FED. R.
BANKR. P. 3003(c) FOR ENTRY OF AN
ORDER EXTENDING THE BAR DATE**

Date: November 13, 2019
Time: 9:30 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

1 The Official Committee of Tort Claimants (the “TCC”), by and through its undersigned
2 counsel, hereby submits this motion (“**Redaction Motion**”) pursuant to sections 105(a) and 107(b)
3 of title 11 of the United States Code (the “**Bankruptcy Code**”), Rule 9018 of the Federal Rules of
4 Bankruptcy Procedure (the “**Bankruptcy Rules**”), Rule 1001-2(a) of the Bankruptcy Local Rules
5 for the United States District Court for the Northern District of California (the “**Bankruptcy Local**
6 **Rules**”) and the *New District Wide Procedures for Electronically Filing Sealed and Redacted*
7 *Documents adopted by the United States Bankruptcy Court for the Northern District of California*
8 (the “**Local Procedures**”) for entry of an order authorizing the TCC to file a redacted Declaration
9 of James Drinkhall (“**Drinkhall Declaration**”) in Support of the TCC’s motion to extend the bar
10 date (“**Bar Date Motion**”).

11 In support of this Redaction Motion, the TCC submits the Declaration of David J.
12 Richardson filed contemporaneously herewith. A proposed form of order granting the relief
13 requested herein is annexed as **Exhibit A**.

14 MEMORANDUM AND POINTS OF AUTHORITIES

15 **I. JURISDICTION**

16 The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. Venue
17 is proper under 28 U.S.C. §§ 1408 and 1409. This Redaction Motion is a core proceeding under 28
18 U.S.C. § 157(b)(2).

19 **II. BASIS FOR RELIEF REQUESTED**

20 Section 105(a) of the Bankruptcy Code allows a court to “issue any order . . . that is
21 necessary or appropriate to carry out the provisions of the title.” 11 U.S.C. § 105(a). Section 107(c)
22 further provides that a court may “protect an individual, with respect to the following types of
23 information to the extent the court finds that disclosure of such information would create undue
24 risk of identity theft or other unlawful injury to the individual or the individual’s property: (A) Any
25 means of identification” The Bankruptcy Rules similarly authorize the Court to “require
26 redaction of additional information” for cause. Bankruptcy Rule 9037.

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1 Finally, Local Procedures require that a request to redact portions of a document be
2 narrowly tailored to sealable materials. *New District Wide Procedures for Electronically Filing*
3 *Sealed and Redacted Documents*.

4 The TCC seeks to redact the names of the individual fire victims whose stories are related
5 in the Drinkhall Declaration. These names are being redacted to avoid disturbing individual fire
6 victims' privacy. These fire victims provided detailed private information pertaining to certain
7 impairments that have constrained their respective ability to comply with the claims bar date in
8 these Cases, and have shared such private information for the benefit of all fire victims. Their
9 individual identity is not relevant or necessary for the general public to understand the points made
10 in the Bar Date Motion. Contemporaneously herewith, the TCC is sending a confidential
11 unredacted Drinkhall Declaration to the Debtors.

12 **III. NOTICE**

13 Notice of this motion is being provided in accordance with the Second Amended Order
14 Implementing Certain Notice and Case Management Procedures, entered on May 14, 2019 [Docket
15 No. 1996].

16 **WHEREFORE**, the TCC respectfully requests that the Court grant the Redaction Motion
17 and allow the TCC to file the redacted Drinkhall Declaration.

18
19 Dated: October 18, 2019

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21 BAKER & HOSTETLER LLP

22
23 By: /s/ David J. Richardson
David J. Richardson

24 *Counsel for The Official Committee of Tort*
25 *Claimant*